

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT REUTHER,

Plaintiff,

No. 07-CV-12249-DT

vs.

Hon. Gerald E. Rosen

LONNIE CHAPMAN, et al.,

Defendants.

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ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION AND DENYING DEFENDANTS' MOTION
TO PARTIALLY DISMISS PLAINTIFF'S CLAIMS

At a session of said Court, held in the
U.S. Courthouse, Detroit, Michigan
on April 23, 2008

PRESENT: Honorable Gerald E. Rosen
United States District Judge

This matter having come before the Court on the February 6, 2008 Report and Recommendation of United States Magistrate Judge Mona K. Majzoub recommending that the Court deny Defendants' Motion to Partially Dismiss Plaintiff's Claims; and no timely objections to the Magistrate Judge's Report and Recommendation having been filed; and the Court having reviewed the Magistrate Judge's Report and Recommendation, and the Court's file of this action and having concluded that, for the reasons stated in the Report and Recommendation, Defendants' Motion should be denied,

NOW, THEREFORE, IT IS HEREBY ORDERED that the Magistrate Judge's Report

and Recommendation of February 6, 2008 be, and hereby is, adopted by this Court.

IT IS FURTHER ORDERED that, for the reasons set forth in the Magistrate Judge's Report and Recommendation, Defendants' Motion to Partially Dismiss Plaintiff's Claims [Dkt. # 29] be, and hereby is, DENIED.

IT IS FURTHER ORDERED that Defendants' Motion for Voluntary Dismissal of Defendant Haehnel [Dkt. # 24] is denied as MOOT. As noted by the Magistrate Judge, Defendant Haehnel was previously dismissed by a Stipulation and Order of Voluntary Dismissal entered on January 17, 2008. Therefore, the outstanding "Motion for Voluntary Dismissal" is now moot.

s/Gerald E. Rosen

United States District Judge

Dated: April 23, 2008

I hereby certify that a copy of the foregoing document was served upon counsel of record on April 23, 2008, by electronic and/or ordinary mail.

s/LaShawn R. Saulsberry

Case Manager